

November 10, 2010

**CCL INFORMATION RELEASE NO. 2010-03**

**REASON FOR THIS TRANSMITTAL**

- ☒ State Law Change  
☒ Federal Law or Regulation Change  
☐ Court Order  
☐ Initiated by CCLD

TO: ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF

**SUBJECT: REASONABLE AND PRUDENT PARENT STANDARD FOR GROUP HOMES  
AND TRAINING REGULATIONS**

The Community Care Licensing Division (CCLD) has amended California Code of Regulations, Title 22, Division 6, to include the Reasonable and Prudent Parent Standard (RPPS) for Group Homes and training for facility staff on the California School Safety and Violence Prevention Act. The regulations have been approved by the Office of Administrative Law and became effective on October 3, 2010.

**SUMMARY OF THE REGULATION CHANGES FOR THE REASONABLE AND PRUDENT  
PARENT STANDARD FOR GROUP HOMES**

**Background**

Assembly Bill (AB) 2096 (Chapter 483, Statute of 2008) amended Welfare and Institutions code sections 362.05 and 727 to allow specified group home staff to apply the RPPS for children placed in group homes.

**Intent**

Every child, dependent or ward, who is residing in a group home, shall be permitted to participate in age-appropriate extracurricular, enrichment and social activities. These regulations provide direction an administrator, a facility manager, or his or her responsible designee when making decisions to allow children to participate in these types of activities. Allowing participation in these activities is necessary to promote a sense of normalcy for the child and to provide essential tools for a child's successful transition to emancipation.

**Amended Regulation Sections**

**84001 Definitions:** Defines the Reasonable and Prudent Parent Standard as the standard characterized by careful and sensible parental decisions that maintain the child's health safety, and best interest, that an administrator or facility manager, or his or her responsible designee, shall use when determining whether to allow a child in care to participate in extracurricular, enrichment and social activities.

**84067 Reasonable and Prudent Parent Standard:** Clarifies who will apply the RPPS. The section includes factors to consider when applying the RPPS.

**84076 Food Service:** Allows a child access to kitchen appliances and utensils when participating in food preparation, cooking and other related kitchen and dining activities. This section requires a child to be properly trained in the safe use of appliances and utensils.

**84079 Planned Activities:** Require specified staff to apply the RPPS when allowing a child to participate in age-appropriate and developmentally-appropriate extracurricular enrichment and social activities.

**84087.2 Outdoor Activity Space:** Allows specified staff to apply the RPPS when deciding to allow a child access to fish ponds, fountains and similar bodies of water. This section requires the licensee to ensure appropriate safeguards are in place in these circumstances.

**84088, Fixtures, Furniture, Equipment, and Supplies:** Requires specified staff to apply the RPPS when allowing a child access to disinfectants and cleaning solutions.

## **SUMMARY OF THE REGULATION CHANGES FOR REQUIRED TRAINING**

### **Background**

AB 3015 (Chapter 557, Statute of 2008) amended Health and Safety Code sections 1522.41 and 1529.2 to expand training for group home administrators and licensed caregivers to include applicable provisions of the California School Safety and Violence Prevention Act (commencing with Education Code Section 32228).

### **Intent**

Students, in public schools, have the right to attend safe, secure, and peaceful campuses that are free from harassment and violence. The training provides basic information on what schools are doing to safeguard youth in a public school setting.

This training gives group home administrators and licensed caregivers the necessary tools to effectively address a public school with concerns that a foster child may be in an unsafe school environment.

### **Amended Regulation Sections**

The following regulation sections have been amended to require additional training for group home administrators and caregivers on existing laws and procedures regarding the safety of foster youth at school:

- 83064** Licensing Duties and Responsibilities (Small Family Homes)
- 84090** Initial Certification Training Program Approval Requirements (Group Homes)
- 86065** Personnel Requirements (Transitional Housing and Placement Program)
- 88065** Personnel Requirements (Foster Family Agencies)
- 89405** Training Requirements (Foster Family Homes)

## **IMPLEMENTATION**

A copy of the updated regulations is available on the CCLD website at:

<http://www.cdss.ca.gov/ord/entres/getinfo/pdf/d070907r.pdf>

Licensing staff are required to read and become familiar with the regulation changes. The updated regulations are currently on the Field Automation System. When reviewing staff records, licensing staff shall ensure completion of training on the California Student Safety and Violence Prevention Act of 2000. Training on these regulations is currently being developed. Possible challenges of the RPPS:

- Designated group home staff may be resistant to applying the RPPS for fear of being cited by CCL if an incident occurs during an activity. If a caregiver has taken the necessary steps to ensure the health and safety of a child and an incident has occurred that was beyond the caregiver's control, the facility should not be cited. If a caregiver has neglected to take the necessary steps to ensure the health and safety of a child, such as allow a child to participate in an activity without fully understanding the details of the activity, and an incident did occur a deficiency must be cited.
- If a caregiver has allowed a child to participate in an inappropriate activity such as an activity that is not age or developmentally appropriate, or an activity that does not meet the definition of RPPS a deficiency should be cited.

If you have any questions or need further information please contact Roberta Williams  
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Sincerely,

***Original signed by Jeffrey Hiratsuka***

JEFFREY HIRATSUKA  
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